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PTO

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02-15-01

PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032
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**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))

Attorney Docket No. IRC293 I4060/205649

First Inventor David D. Oakey

Title ORTHOGONALLY AMBIGUOUS CARPET TILE

Express Mail Label No. EL230342653US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification (Total Pages 12)
(preferred arrangement set forth below)
- Descriptive title of the invention
- Cross References to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to sequence listing, a table,
or a computer program listing appendix
- Background of the invention
- Brief Summary of the invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) (Total Sheets 6)
5. Oath or Declaration (Total Pages 3)
a. ☒ Newly executed (original or copy)
b. ☐ Copy from a prior application (37 CFR 1.63 (d))
(for a continuation/divisional with Box 18 completed)
i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s)
named in the prior application, see 37 CFR
1.63(d)(2) and 1.33(b).
6. ☒ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO:Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or
Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
a. ☐ Computer Readable Form (CRF)
b. Specification Sequence Listing on:
i. ☐ CD-ROM or CD-R (2 copies); or
ii. ☐ paper
c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATIONS PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 C.F.R. §3.73(b) Statement of Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☐ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Request and Certification under 35 U.S.C. 122
(b)(2)(B)(i). Applicant must attach form PTO/SB/35
or its equivalent.
17. ☒ Other: Petition for Color Drawings Under 37 C.F.R.
1.84(a)(2);
Request and Certification Under 35 U.S.C. 112(b)(2)(B)(i)

18. If a **CONTINUING APPLICATION**, check appropriate box, and supply the requisite information below and in a preliminary amendment,
or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of prior application No. ____ / ____

Prior application information: Examiner ____

Group / Art Unit: ____

For **CONTINUATION** or **DIVISIONAL APPS** only: The entire disclosure of the prior application, from which an oath or declaration is supplied
under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference.
The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

17. CORRESPONDENCE ADDRESS☒ Customer Number or Bar Code Label

(Inser

23370

de-label here)

or ☐ Correspondence address below

Name

John S. Pratt

Kilpatrick Stockton LLP

PATENT TRADEMARK OFFICE

Address

1100 Peachtree Street
Suite 2800

City

Atlanta

State

Georgia

Zip Code

30309

Country

USA

Telephone

404-815-6367

Fax

404-815-6555

Name (Print/Type)

Kristin L. Johnson

Registration No. (Attorney/Agent)

44,807

Signature

Date

February 14, 2001

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Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for
Patents, Box Patent Application, Washington, DC 20231.

**FEE TRANSMITTAL
for FY 2001**

Patent fees are subject to annual revision.

Complete if Known

Application Number	not assigned
Filing Date	February 14, 2001
First Named Inventor	David D. Oakey
Examiner Name	not assigned
Group / Art Unit	not assigned
Attorney Docket No.	IRC293 14060/205649

TOTAL AMOUNT OF PAYMENT (\$) 1268**METHOD OF PAYMENT (check one)**

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit
Account
Number

11-0855

Deposit
Account
Name

Kilpatrick Stockton LLP

- ☒
- Charge Any Additional Fee Required
-
- Under 37 CFR 1.16 and 1.17
-
- ☐
- Applicant claims small entity status.
-
- See 37 CFR 1.27

- 2.
- ☒
- Payment Enclosed:

☒ Check ☐ Credit card ☐ Money
Order ☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	710
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1)

(\$ 710)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid	
26	-20 = 6	18	108	
Independent Claims	7	-3 = 4	80	320
Multiple Dependent		X		0

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$ 428)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)


Fee Code	Large Entity Fee (\$)	Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	130	123	130	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify) <u>Petition under 37 CFR 1.84(a)(2)</u>					130

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 130)

SUBMITTED BY**Complete (if applicable)**

Name (Print/Type)	Kristin L. Johnson	Registration No. Attorney/Agent)	44,807	Telephone	404-815-6389
Signature		Date	February 14, 2001		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**Burden Hour Statement:** This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

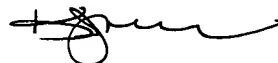
**REQUEST AND CERTIFICATION
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	David D. Oakey
Title	ORTHOGONALLY AMBIGUOUS CARPET TILE
Atty Docket Number	IRC293 I4060/205649

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

February 14, 2001

Date



Signature

Kristin L. Johnson, Reg. 44,807

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.**

Patented by the U.S. Patent and Trademark Office

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Oakey et al.

Serial No.: Not yet assigned

Group Art Unit:

Filing Date:

Examiner:

For: ORTHOGONALLY AMBIGUOUS CARPET TILE

Attorney Docket No. IRC293 I4060/205649



PETITION FOR COLOR DRAWINGS UNDER 37 C.F.R. 1.84(a)(2)

Sir:

Applicants hereby petition the Commission for acceptance of color drawings in the above-identified application. The application relates to carpet tiles that exhibit "orthogonal ambiguity," meaning that the tiles may be placed in any orientation with respect to adjacent carpet tiles without looking out of place. The achievement of orthogonal ambiguity depends largely on the colors chosen and the orientation of those colors to form apparently random patterns on the carpet tile. The orthogonal ambiguity of the tiles can only be appreciated and understood if the tiles are depicted in color. Because visual appearance is the essence of the present invention, Applicants hereby request that the Commissioner allow color drawings in the above-identified application. Enclosed is a check to cover the appropriate petition fee under 37 C.F.R. § 1.17. No further fees are due; however, the Commissioner is authorized to debit deposit account 11-0855 to the extent necessary should any fees be due.

Additionally, the specification, with which the required three sets of color drawings are included, contains the necessary recitals in accordance with 37 C.F.R. § 1.84(a)(2).

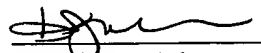
02/21/2001 EFLORES 00000045 09783354

04 FC:122

130.00 OP

Respectfully submitted,

KILPATRICK STOCKTON LLP
1100 Peachtree Street
Suite 2800
Atlanta, Georgia 30309



Kristin L. Johnson
Reg. No. 44,807

PATENTS

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant(s): Oakey et al.

USSN: not assigned

Filing Date: February 14, 2001

Art Unit: not assigned

Examiner: not assigned

For: ORTHOGONALLY AMBIGUOUS CARPET TILE

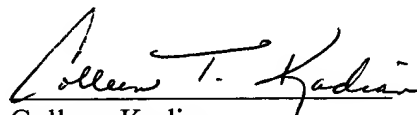
Attorney Docket No. : IRC293 I4060/205649

"EXPRESS MAIL" mailing label number: EL230342653US

Assistant Commissioner for Patents
BOX PATENT APPLICATION
Washington, D.C. 20231

CERTIFICATE OF EXPRESS MAILING (37 CFR 1.10)

I hereby certify that this UTILITY PATENT APPLICATION TRANSMITTAL FORM AND ALL DOCUMENTS REFERRED TO THEREIN are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated below and is addressed to the Assistant Commissioner for Patents, BOX PATENT APPLICATION, Washington, D.C. 20231.


Colleen Kadian

Date: 14 February, 2001